


cannot dispute the material facts of Count II (excessive force) and the underlying constitutional violation with respect to Plaintiff's *Monell* claims (Counts III and IV).

Plaintiff supports this motion with facts which are conclusively established for the purposes of this motion through the criminal prosecution of Graves under the doctrine of collateral estoppel. Plaintiff also references materials that cannot reasonably be disputed, including, *inter alia*, Graves' sworn deposition and jail surveillance footage. There is no genuine dispute regarding any material fact related to this motion.

RESPECTFULLY SUBMITTED, this the 9th day of **July, 2020**.

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BY:



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CERTIFICATE OF SERVICE

I hereby certify that, on July 9, 2020, a copy of Plaintiff's Motion for Summary Judgment and Memorandum of Law in Support was transmitted for service via Pacer and the Court's Electronic Court Filing System to counsel for all parties. Other parties will be served via United States Postal Service postage prepaid.

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